

Adopted Minutes

Regular Council Meeting

October 9, 2012

Mayor Slavik called a Regular Meeting of the Plymouth City Council to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on October 9, 2012. Cub Scout Den 2, Pack 537, led the Council in the Pledge of Allegiance.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Willis, Bildsoe, Stein, Black, and Wosje.

ABSENT: Councilmember Johnson.

STAFF PRESENT: City Manager Ahrens, City Attorney Knutson, Park and Recreation Director Evans, Public Works Director Cote, Community Development Director Juetten, Finance Manager Bursheim, Fire Chief Kline, Police Chief Goldstein, and City Clerk Engdahl.

Plymouth Forum

Alan Napier, 16520 39th Avenue North, discussed the route permit for the proposed Excel Energy power line going through the City. He stated the applications on behalf of Excel Energy remain the same as well as the proposed route. He requested the Council to take a more aggressive stance with regard to the applications, but specifically, with the proposed route from Excel Energy. The alternative Route E, that the City proposed, hasn't convinced Excel Energy that this is the best route for the power company and the community. There would be 286 homes that would be directly impacted by Excel Energy's route. The values of their homes would be impacted severely. He stated the citizens south of Highway 55 hired a lawyer, and he suggested that the City be more aggressive and use the City Attorney.

Mayor Slavik stated the City has no authority over this project. Staff and Councilmembers have attended the meetings, and the City has tried to get the area legislators involved. She noted that there is a cost in using the City Attorney and residents in other parts of the City could question why their tax dollars are paying for those services. Also there could be residents who might be upset if the City Attorney represents a route that adversely affects other residents. The City continues to monitor this project very closely.

Presentations and Public Information Announcements

(4.01) Announcement of Fire Department Open House on October 13

Fire Chief Kline reported on the Fire Department's open house on October 13 at Fire Station 3.

Approval of Agenda

By request of staff, Mayor Slavik removed Item No. 6.16 under the Consent Agenda.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Wosje, to approve the amended agenda. With all members voting in favor the motion carried.

Consent Agenda

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Black, to adopt the amended Consent Agenda that included the following items:

(6.01) Minutes of the Regular Meetings of August 14, August 28, and September 11 and Special Meetings of August 21 and August 28.

(6.02) Resolution Approving Disbursements ending September 29, 2012 (Res2012-287).

(6.03) Resolution Appointing Additional Election Judges for the November 6 General Election (Res2012-288).

(6.04) Resolution Approving a Lease Termination Agreement and General Release from Nextel West Corporation (Res2012-289).

(6.05) Approval of comments on the Metropolitan Council's Thrive MSP 2040 Plan.

(6.06) Resolution Authorizing a First Amendment to the Development Contract for Elm Creek Highlands East 3rd Addition (2012055 - Res2012-290).

(6.07) Resolution Approving Plans and Specifications and Ordering the Advertisement for Bid for Well No. 17 Pumping Facility (10024 - Res2012-291).

(6.08) Resolution Approving Request for Payment No. 2 and Final for the Vicksburg Lane Overlay Project (10026 – Res2012-292).

(6.09) Resolution Approving Request for Payment No. 3 and Final for 2012 Street Sweeping Project (12012 – Res2012-293).

(6.10) Resolution Changing the Medical Insurance Provider to Medica (Res2012-294).

(6.11) Resolution Accepting Utilities for Continual Maintenance for Arbor Grove 1st (2010059 – Res2012-295).

(6.12) Resolution Approving the Filling of Wetlands and the Wetland Replacement Plan Application for Kirkwood Addition (2012041 – Res2012-296).

(6.13) Resolution Approving Encroachment Agreement for a Retaining Wall within a Drainage and Utility Easement in Lot 8, Block 1, Heritage Estates 2nd Addition at 3385 Sycamore Lane North (Res2012-297).

(6.14) Resolution Approving Encroachment Agreement for Deck Steps within a Drainage and Utility Easement in Lot 8, Block 1, Hampton Hills 2nd Addition at 15400 55th Court North (Res2012-298).

(6.15) Resolution Approving Final Plat for “Hampton Hills South Plateau 2nd Addition for Property located South of Pomerleau Lake (2012078 – Res2012-299).

(6.16) (This item was removed from the agenda).

(6.17) Resolution Approving a Final Plat and Development Contract for US Home Corporation, d/b/a Lennar for “Kirkwood” for Property located at 5205, 5250, 5330 and 5350 Dunkirk Lane (2012041F – Res2012-300) and a Resolution Adopting Assessments for Trunk Sanitary Sewer and Watermain for Kirkwood (2012-41 – Res2012-301).

(6.18) Ordinance Amending the Zoning Ordinance to Classify Certain land located South of 54th Avenue between Dunkirk and Vicksburg Lanes (2012054 – Ord2012-24), Resolution Approving Findings of Fact for the Rezoning of Land located South of 54th Avenue between Dunkirk and Vicksburg Lanes (2012054 – Res2012-302), and a Resolution Approving a Preliminary Plat for US Home Corporation, d/b/a Lennar for “Kirkwood II” for Property located South of 54th Avenue between Dunkirk and Vicksburg Lanes (2012054 – Res2012-303).

(6.19) Resolution Approving Lawful Gambling License Application of Wayzata Hockey Association for Lucky 13 (Res2012-304).

With all members voting in favor, the motion carried.

Public Hearings

(7.01) Certification of Delinquent Utility Accounts, False Alarms, Tree Removals, and Weed Eradication Charges

Finance Manager Bursheim reported on the proposed assessments.

Mayor Slavik opened the public hearing.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, to adopt a Resolution Approving Certification to the County for Delinquent Utility Accounts, False Alarms, Tree Removal, and Weed Eradication Charges (Res2012-305). With all members voting in favor, the motion carried.

(7.02) Vacation of a Portion of a Platted Drainage and Utility Easement within Outlot A, Taylor Creek Addition

Public Works Director Cote reported on the proposed vacation.

Mayor Slavik opened the public hearing.

Mayor Slavik declared the public hearing closed.

Motion was made by Councilmember Willis, and seconded by Councilmember Wosje, to adopt a Resolution Authorizing the Vacation of a Portion of a Platted, Drainage and Utility Easement within Outlot A, Taylor Creek Addition (Res2012-306). With all members voting in favor, the motion carried.

General Business

(8.01) Modified Alignment (Alignment 3B) and Typical Section for Peony Lane North of Schmidt Lake Road (10015)

Public Works Director Cote stated the City begun the process of evaluating the potential extension alignments for Peony Lane north of Schmidt Lake Road. The study developed four potential alignments for the Peony Lane extension, including one identified by residents. On July 10, 2012, Alignment 3 was selected by the Council as the preferred alignment and the Environmental Assessment Worksheet (EAW) for the project was approved for distribution. He explained in response to comments and questions raised during the review of the EAW, a modified Alignment 3 (Alignment 3B) was developed to address impacts to private property. Alignment 3B was evaluated for the same transportation, land use, environmental, and cost criteria as the other alternatives and was found to retain the same strong qualities as Alignment 3, but significantly reduces the impacts to private parcels, and reduces the amount of property necessary for permanent and temporary acquisition (1.83 acres less permanent easement for Alignment 3B on the Baer property alone). It slightly increases the wetland impacts, but has the benefit of reducing the floodplain impacts.

He stated regarding the City property in question, that property was purchased in 2007 as part of the Northwest Greenway. At the time of purchase, it was contemplated that Peony Lane would assume five acres of that property for right-of-way, leaving a remnant on the west side of the roadway for purchase. He showed two concepts for the property. He stated a detailed wetland delineation of this property was performed in 20120 in order to fully address the potential environmental impacts from the proposed Peony Lane project. The delineation results in more

wetland and less upland on the City-owned property than was assumed when the City purchased the property. Alignment 3 would result in a 1.81 acre remnant parcel on the west side of Peony Lane that could be available for resale after the construction of the road while Alignment 3B would result in a 3.69 acre remnant parcel. Staff believes that the larger remnant parcel is more attractive for resale than the smaller remnant parcel. The proceeds from the sale of the remnant parcel could be used to assist in funding future property acquisition for the Northwest Greenway.

He discussed the analysis of the typical section options for the Council to consider. He stated the consultant's recommendation is basically a four-lane divided facility without on-road bicycle lanes based on projected traffic volumes unless access to the roadway is controlled, in which case they recommend a four-lane undivided roadway with turn lanes at major intersections without on-road bicycle lanes.

He discussed funding options as contained in the staff report which could include area wide assessment, municipal state aid funds, general obligation state aid bonds, and funding from the utility trunk fund.

Staff is recommending approval of the following:

1. Alignment 3B as the preferred alignment and authorize commencement of final design on alignment 3B.
2. Four-lane undivided typical section, striped for two lanes and a center left turn lane with on-road bike lane at this time with adequate width to be striped as four lanes in the future should conditions warrant.
3. Use of state aid bonds as a funding source for a portion of the construction costs.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Willis, to adopt a Resolution Approving Preferred Alignment (Alignment 3B) and Authorize Design, Approve Typical Section, and Approve state aid bonds as a funding source for a portion of the construction costs for Peony Lane North of Schmidt Lake Road (10015 – Res2012-307). With all members voting in favor, the motion carried.

Reports and Staff Recommendations

There were no reports and staff recommendations.

Adjournment

Mayor Slavik adjourned the meeting at 7:55 p.m.



Sandra R. Engdahl, City Clerk